

REMARKS

The above amendment and these remarks are responsive to the Office action of 20 May 2004. Claims 1-19 are in the case, none as yet allowed.

35 U.S.C. 102

Claims 1-19 have been rejected under 35 U.S.C. 102(e) over Salas et al., U.S. Patent 6,314,408.

The material in Salas beginning at column 6, line 18 describes the operation of the page builder application. This resides on the client workstation and controls "generation, display, and management of eRooms." (See Col. 6, lines 18-20.) This page builder application retrieves an eRoom template, which is an HTML file having e-Room-specific

information embedded in it which controls the page itself, controls on it, and the way the page's data is presented, created, or edited. (See Col. 6, lines 27-30, 36-39.)

The Examiner refers to this template as the equivalent of Applicant's place type, which Applicant characterizes in his specification also as a template. However, these templates are not the same. The Salas template is utilized by the page builder application to render the eRoom at the client. Applicant's template, or place type, is created from a first place for use by a user in creating a new place. Creating a new place from a place type (which Applicant claims) is not merely rendering an eRoom from a template (which Salas teaches). (To avoid this confusion, Applicant removed reference to "template" from his claims in the previous amendment.)

Applicant's challenge is to present in his claims some limitation which makes this distinction clear to the Examiner. The Examiner provides a possible clue by observing: "...it is noted that the feature in which the input is provided or created from a previously existing eRoom is not claimed." (Office Action, bottom of page 5.) Applicant argues that "the feature" was claimed, but is

willing to further clarify it (without prejudice to asserting the original wording if necessary in subsequent prosecution).

With this Examiner clue in mind, Applicant has amended the independent claims to refer to the first place as a preexisting place so that he may refer to it as such when claiming the input to the place type, or some other equivalent expression. Thus, Applicant has further amended the independent claims to clarify that what applicant is claiming is a system or method for creating a place type from a previously existing place, and the use of that place type for creating a new place.

In order to sustain a 102 rejection of Applicant's claims, it would be necessary that Salas et al. teach, inter alia, that the template be created from an eRoom. This is not the case. The Salas et al. manner of creating the template is taught at Col. 6, lines 25ff in connection with Figure 5. A page builder uses a template to render the eRoom at the client. There is no teaching that the template which is input to the page builder is provided by or created from a previously existing eRoom (in Salas et al. environment) or place (in Applicants' environment).

Applicants request that rejection of claims 1-19 over Salas et al. be reconsidered in light of the above comments, and that these claims be allowed. If this amendment is still not satisfactory to the Examiner, Applicant's attorney requests that the Examiner contact him to work out acceptable language clarifying this distinction from Salas.

SUMMARY AND CONCLUSION

Applicants urge that the above amendments be entered to place the application in condition for allowance, and the case passed to issue with claims 1-19, or else entered as placing the claims in better condition for purpose of appeal.


The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive

assistance and suggestions in accordance with M.P.E.P.
Sections 707.02(j) and 707.03 in order that allowable claims
can be presented, thereby placing the Application in
condition for allowance without further proceedings being
necessary.

Sincerely,

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By


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